

**EXHIBIT G**

**Final Approval Order**

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JAMES M. FINBERG (SBN 114850)  
PETER E. LECKMAN (SBN 235721)  
ALTSHULER BERZON LLP  
177 Post Street, Suite 300  
San Francisco, California 94108  
Telephone: (415) 421-7151  
Facsimile: (415) 362-8064  
E-mails: [jfinberg@altshulerberzon.com](mailto:jfinberg@altshulerberzon.com)  
[pleckman@altshulerberzon.com](mailto:pleckman@altshulerberzon.com)

KELLY M. DERMODY (SBN 171716)  
JAHAN C. SAGAFI (SBN 224887)  
LIEFF, CABRASER, HEIMANN  
& BERNSTEIN, LLP  
275 Battery Street, 30th Floor  
San Francisco, California 94111-3339  
Telephone: (415) 956-1000  
Facsimile: (415) 956-1008  
E-mails: [kdermody@lchb.com](mailto:kdermody@lchb.com)  
[jsagafi@lchb.com](mailto:jsagafi@lchb.com)

Attorneys for  
Plaintiff Ahmed Higazi

M. KIRBY C. WILCOX (SBN 78576)  
JEFFREY D. WOHL (SBN 96838)  
MOLLY A. HARCOS (SBN 233556)  
PAUL, HASTINGS, JANOFISKY  
& WALKER LLP  
55 Second Street, 24th Floor  
San Francisco, California 94105  
Telephone: (415) 856-7000  
Facsimile: (415) 856-7100  
E-mails: [kirbywilcox@paulhastings.com](mailto:kirbywilcox@paulhastings.com)  
[jeffwohl@paulhastings.com](mailto:jeffwohl@paulhastings.com)  
[mollyharcos@paulhastings.com](mailto:mollyharcos@paulhastings.com)

Attorneys for  
Defendant Cadence Design Systems, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

AHMED HIGAZI, on behalf of himself  
and a class of those similarly situated,

Plaintiff,

v.

CADENCE DESIGN SYSTEMS, INC.,

Defendant.

No. C-07-2813-JW

**COLLECTIVE ACTION AND CLASS  
ACTION**

**[PROPOSED] ORDER (1) CONFIRMING  
CERTIFICATION OF CLASS AND  
COLLECTIVE ACTION, (2) GRANTING  
FINAL APPROVAL TO CLASS ACTION  
SETTLEMENT, AND (3) ENTERING FINAL  
JUDGMENT**

Date: July 1, 2008

Time: 10:00 a.m.

Courtroom: 8

Judge: Hon. James Ware

1 On July [REDACTED], 2008, a hearing was held on the joint motion of plaintiff Ahmed Higazi and  
2 defendant Cadence Design Systems, Inc. (“Cadence”) (collectively the “Parties”), for final approval of  
3 their class settlement; and on the separate motion of plaintiff and his counsel for awards of the Class  
4 Representative Payment and the Class Counsel Attorneys’ Fees and Costs Payment. Kelly M. Dermody  
5 and Jahan C. Sagafi of Lieff, Cabraser, Heimann & Bernstein, LLP, and James M. Finberg and Peter E.  
6 Leckman of Altshuler Berzon LLP appeared for plaintiff; and Jeffrey D. Wohl and Molly A. Harcos of  
7 Paul, Hastings, Janofsky & Walker LLP appeared for Cadence.

8 The Parties have submitted their Joint Stipulation of Class Settlement and Class Settlement  
9 Agreement and Release (the “Settlement”), which this Court preliminarily approved in its March [REDACTED],  
10 2008, order (the “Preliminary Approval Order”). In accordance with the Preliminary Approval Order,  
11 class members have been given notice of the terms of the Settlement and the opportunity to object to it  
12 or to exclude themselves from its provisions. In addition, pursuant to the Class Action Fairness Act of  
13 2005, 28 U.S.C. § 1715 (“CAFA”), Cadence has given the Attorney General of the United States and the  
14 appropriate state official in each state in which a class member resides timely notice of the Settlement.

15 Having received and considered the Settlement, the supporting papers filed by the Parties, and  
16 the evidence and argument received by the Court at the preliminary approval hearing held on March 3,  
17 2008, and the final approval hearing on July [REDACTED], 2008, by means of this order (the “Final Approval  
18 Order”) the Court grants final approval to the Settlement, and HEREBY ORDERS and MAKES  
19 DETERMINATIONS as follows:

20 1. Except as otherwise specified herein, the Court for purposes of this Final Approval Order  
21 adopts all defined terms set forth in the Settlement.

22 2. This Court has jurisdiction over the subject matter of this litigation and all related matters  
23 and all state and federal claims raised in this action and released in the Settlement, and personal  
24 jurisdiction over Cadence and all class members (except for those who timely filed Elections Not to  
25 Participate in Settlement). Specifically, this Court has federal question jurisdiction over this action  
26 pursuant to 28 U.S.C. section 1331; section 16(b) of the Fair Labor Standards Act (“FLSA”), 29 U.S.C.  
27 § 216(b); and the Employee Retirement Income Security Act (“ERISA”), 29 U.S.C. § 1132(e)(1).

28 3. This Court also has supplemental jurisdiction over all state-law claims asserted by

1 plaintiff because the state-law claims derive from a common nucleus of operative fact and form part of  
2 the same case or controversy as those claims over which the Court has primary jurisdiction. *See* 28  
3 U.S.C. § 1367 (providing for supplemental jurisdiction over related state-law claims that “form part of  
4 the same case or controversy”); *United Mine Workers v. Gibbs*, 383 U.S. 715, 726 (1996) (federal courts  
5 have supplemental jurisdiction over state law claims that arise from the same “common nucleus of  
6 operative fact” such that the parties “would ordinarily be expected to try them all in one judicial  
7 proceeding”).

8 4. This Court also has jurisdiction to approve the Settlement’s release of claims by class  
9 members over which the Court has jurisdiction, even if the Court would not independently have  
10 jurisdiction over those released claims. *See Grimes v. Vitalink Communications*, 17 F.3d 1553, 1563 (3d  
11 Cir.1994) (citing *Class Plaintiffs v. City of Seattle*, 955 F.2d 1268, 1287-88 (9th Cir. 1992) (“[A] federal  
12 court may release not only claims alleged in the complaint, but also state claims arising from the same  
13 nucleus of operative facts over which the court would not have jurisdictional competence.”); *Reyn’s*  
14 *Pasta Bella, LLC v. Visa USA, Inc.*, 442 F.3d 741, 748 (9th Cir. 2006) (quoting *Class Plaintiffs*, 955  
15 F.2d at 1287-89).

16 5. Pursuant to the Preliminary Approval Order, a Notice of (1) Proposed Class Settlement  
17 and (2) Final Settlement Approval Hearing (the “Class Notice”), a Claim Form, and an Election Not to  
18 Participate in Settlement were sent to each class member by first-class mail. These papers informed  
19 class members of the terms of the Settlement, their right to claim a share of the settlement proceeds,  
20 their right to object to the Settlement or to elect not to participate in the Settlement and pursue their own  
21 remedies, and their right to appear in person or by counsel at the final approval hearing and be heard  
22 regarding approval of the Settlement. Adequate periods of time were provided by each of these  
23 procedures.

24 6. The Court finds and determines that this notice procedure afforded adequate protections  
25 to class members and provides the basis for the Court to make an informed decision regarding approval  
26 of the Settlement based on the responses of class members. Notice was accomplished in all material  
27 respects in the manner prescribed by the Settlement. The Court finds and determines that the notice  
28 provided in this case was the best notice practicable, which satisfied the requirements of law and due

1 process.

2 7. Pursuant to CAFA, not later than 10 days after the motion seeking preliminary approval  
3 of the Settlement was filed in court, Cadence served upon the Attorney General of the United States and  
4 the appropriate state official of each state in which a class member resides a notice of the Settlement  
5 consisting of: a copy of the complaint in this action; a notice of the scheduled judicial hearings in this  
6 class action; copies of the Settlement, proposed Class Notice, Claim Form, and Election Not to  
7 Participate in Settlement; and the names of class members who reside in each state and the estimated  
8 proportionate share of the claims of class members in each state to the entire Settlement. The notice of  
9 Settlement also invited comment on the Settlement. This Final Approval Order is not being issued  
10 earlier than 90 days after the later of the dates on which the appropriate federal and state officials were  
11 served with the notice of proposed settlement.

12 8. The Court finds and determines that Cadence's notice of Settlement was timely,  
13 adequate, and compliant with the statutory requirements of CAFA. Accordingly, 28 U.S.C. section  
14 1715(e) has no application to the Settlement.

15 9. For the reasons stated in the Preliminary Approval Order, this Court finds and determines  
16 that the proposed Settlement Class, as defined in the definitions section of Settlement and in section I of  
17 its Preliminary Approval Order, meets all of the legal requirements for class certification under Federal  
18 Rule of Civil Procedure 23 ("Rule 23") (a) and (b)(3), and it is hereby ordered that the Settlement Class  
19 is finally approved and certified as a class for purposes of settlement of this action.

20 10. For the reasons stated in the Preliminary Approval Order, this Court finds and determines  
21 that the action meets all of the legal requirements for certification as a collective action under  
22 section 16(b) of the FLSA, 29 U.S.C. § 216(b), for the three-year period preceding the filing of  
23 plaintiff's complaint, and it is hereby ordered that the action is certified as a collective action for  
24 purposes of settlement of this action.

25 11. Pursuant to Rule 23(e), the Court further finds and determines that the terms of the  
26 Settlement are fair, reasonable and adequate to the Class and to each class member and that the class  
27 members who have not opted out will be bound by the Settlement, that the Settlement is ordered finally  
28 approved, and that all terms and provisions of the Settlement should be and hereby are ordered to be

1 consummated. The Court specifically finds that the Settlement is rationally related to the strength of  
2 plaintiff's claims given the risk, expense, complexity, and duration of further litigation. This Court also  
3 finds that the Settlement is the result of arms-length negotiations between experienced counsel  
4 representing the interests of the class and Cadence, after thorough factual and legal investigation. *Staton*  
5 *v. Boeing*, 327 F.3d 938, 960 (9th Cir. 2003); *Class Plaintiffs*, 955 F.2d at 1291.

6 12. The Court further finds that the response of the class to the Settlement supports  
7 settlement approval. Of the 207 class members, only [REDACTED] % of the class members elected not to  
8 participate in the Settlement. A list of class members who elected not to participate in the Settlement is  
9 attached to this Final Approval Order as Exhibit A. [Only — /No] class members filed written  
10 objections to the Settlement as part of this notice process [and/or] stated their intent to appear at the  
11 final approval hearing. The Court has reviewed and considered these objections.

12 13. The Court finds and determines that the payments to be made to the class members as  
13 provided for in the Settlement are fair and reasonable. The proposed plan of allocation is rationally  
14 related to the relative strengths of the respective claims asserted. The Court hereby gives final approval  
15 to and orders the payment of those amounts be made to the claimants out of the \$7,500,000 Settlement  
16 Payment in accordance with the terms of the Settlement.

17 14. The Court confirms as final the appointment of plaintiff Ahmed Higazi as the class  
18 representative of the class under Rule 23 and as class representative of the nationwide FLSA class under  
19 section 16(b). The Court finds and determines that the payment of the Class Representative Payment of  
20 \$ [REDACTED] to plaintiff for his services as the class representative, in addition to his individual Settlement  
21 Share, is fair and reasonable. The Court hereby gives final approval to and orders that the Class  
22 Representative Payment of that amount be made to plaintiff out of the Qualified Settlement Fund in  
23 accordance with the terms of the Settlement.

24 15. The Court confirms as final the appointment of the following law firms and attorneys as  
25 class counsel ("Class Counsel") for the Rule 23 and FLSA classes: Kelly M. Dermody and Jahan C.  
26 Sagafi of Lieff, Cabraser, Heimann & Bernstein LLP, and James M. Finberg and Peter E. Leckman of  
27 Altshuler Berzon LLP. The Court finds and determines that the payment of the Class Counsel  
28 Attorneys' Fees and Costs Payment of \$ [REDACTED] in attorneys' fees and \$ [REDACTED] in litigation costs and

1 expenses, for a total payment of \$ [REDACTED], is fair and reasonable. The Court hereby gives final approval  
2 to and orders that that payment of that amount be made to Class Counsel out of the Qualified Settlement  
3 Fund in accordance with the terms of the Settlement.

4 16. The Court finds and determines that payment to the California Labor and Workforce  
5 Development Agency of \$20,000 as its share of the settlement of civil penalties under the California  
6 Labor Code pursuant to the Labor Code Private Attorneys General Act, Cal. Gov't Code § 2698 *et seq.*,  
7 is fair, reasonable, and appropriate; and the Settlement extinguishes Cadence's liability for civil  
8 penalties to the State of California, plaintiff, or Participating Class Members in accordance with the  
9 Settlement. The Court hereby gives final approval to and orders that the payment of that amount be paid  
10 out of the Qualified Settlement Fund in accordance with the terms of the Settlement.

11 17. Nothing in this Final Approval Order will preclude any action to enforce the Parties'  
12 obligations under the Settlement or under this order, including the requirement that Cadence make the  
13 Settlement Payments in accordance with the terms of the Settlement.

14 18. Upon completion of administration of the Settlement, the Settlement Administrator will  
15 provide written certification of such completion to the Court and counsel for the Parties.

16 19. By operation of the entry of this Final Approval Order and pursuant to the Settlement, all  
17 Participating Class Members are permanently barred from prosecuting against the Cadence Parties any  
18 Participating Class Member Released Claim as set forth in the section XV of the Settlement. The Court  
19 has reviewed the release in section XV of the Settlement and finds it to be fair, reasonable, and  
20 enforceable under Rule 23, the FLSA and all other applicable law.

21 20. If, for any reason, the Settlement ultimately does not become Final (as defined in the  
22 Settlement, section I(O)), this Final Approval Order will be vacated; the Parties will return to their  
23 respective positions in this action as those positions existed immediately before the parties executed the  
24 Settlement; and nothing stated in the Settlement or any other papers filed with this Court in connection  
25 with the Settlement will be deemed an admission of any kind by any of the Parties or used as evidence  
26 against, or over the objection of, any of the Parties for any purpose in this action or in any other action.

27 21. The Parties entered into the Settlement solely for the purpose of compromising and  
28 settling disputed claims. Cadence in no way admits any violation of law or any liability whatsoever to

1 plaintiff and the Class, individually or collectively, all such liability being expressly denied by Cadence.

2 22. By means of this Final Approval Order, this Court hereby enters final judgment in this  
3 action, as defined in Federal Rule of Procedure 58(a)(1).

4 23. Without affecting the finality of the Court's judgment in any way, the Court retains  
5 jurisdiction over this matter for purposes of resolving issues relating to interpretation, administration,  
6 implementation, effectuation and enforcement of the Settlement.

7 24. The Parties are hereby ordered to comply with the terms of the Settlement.

8 25. This action is dismissed with prejudice, each side to bear its own costs and attorneys' fees  
9 except as provided by the Settlement and the Court's orders.

10 Dated: **DATE**, 2008

11 \_\_\_\_\_  
James Ware  
United States District Judge